

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WADITH STOCKINGER NADER and	)	Case No. 8:17-cv-83
STACEY NICHOLE NADER,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	MOTION FOR SUMMARY
	)	JUDGMENT BY DEFENDANTS
THE CITY OF PAPILLION; SARPY	)	SARPY COUNTY, L. KENNETH
COUNTY; BRYAN SVAJGL;	)	POLIKOV, AND JENNIFER
BENJAMIN IVERSEN; SCOTT A.	)	HESSIG (F/K/A MIRALLES)
LYONS; L. KENNETH POLIKOV; and	)	
JENNIFER MIRALLES,	)	
	)	
Defendants.	)	

COMES NOW Defendants the County of Sarpy, Nebraska, as well as L. Kenneth Polikov and Jennifer Hessig (f/k/a Miralles), in their individual capacities, pursuant to Fed. R. Civ. P. 56 and NECivR 56.1, and hereby move for an order granting summary judgment in their favor on all claims advanced in Plaintiffs' Amended Complaint. The undersigned Defendants assert that the pleadings and evidence presented contemporaneously with this Motion demonstrate that there is no genuine issue of material fact to be tried, and that they are entitled to judgment as a matter of law on each and every of Plaintiffs' claims, for reasons including that these named Defendants are entitled to absolute immunity, qualified immunity, sovereign immunity under the Nebraska Political Subdivisions Tort Claims Act under the exemption found at Neb. Rev. Stat. §13-910(7), and/or that Plaintiff Stacey Nichole Nader lacks standing to assert her claims.

WHEREFORE, the undersigned Defendants pray that summary judgment be granted in their favor, that the claims asserted against each of them in Plaintiffs' pleadings herein be dismissed with prejudice at Plaintiffs' costs, and that the Defendants recover

their costs and attorneys fees expended herein in the defense of the claims asserted by Plaintiffs under 42 U.S.C. §1988.

Dated this 18<sup>th</sup> day of August, 2017.

SARPY COUNTY, JENNIFER  
HESSIG (F/K/A MIRALLES),  
AND L. KENNETH POLIKOV,  
Defendants.

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on August 18, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and thereby electronically served copies the same upon all counsel for the parties to this action: Christopher J. Tjaden, Zachary W. Lutz-Priefert, Ryan M. Kunhart, and Jeffrey J. Blumel.

BY: s/ Vincent Valentino  
Vincent Valentino, #14288